

Habilitation Transfer from the Department of Rehabilitation to the Department of Developmental Services Frequently Asked Questions (FAQs)

General Habilitation Questions

- **Why will Habilitation Services Program be transferred to the Department of Developmental Services (the Department of Developmental Services)?**
 - Proposed Savings to the general fund was proposed in the mid year review plan by the Governor and adopted by the current administration.
- **What will the transfer of Habilitation Services Program to the Department of Developmental Services contribute to address the budget deficit?**
 - Because of a reduction in the number of state staff to administer the program there will be a budget savings.
- **How can the transfer of Habilitation Services Program to the Department of Developmental Services benefit services to the client, regional centers, service providers, group advocacy, as well as the employees (consumers)?**
 - Increased collaboration among all involved will ensure the maintenance of quality services to consumers. Quality services will benefit consumers to achieve their job goals.
- **What services will Department of Rehabilitation continue to provide?**
 - The Department of Rehabilitation will continue to provide Vocational Rehabilitation Services to Californians with disabilities including regional center consumers that want to work. Services include employment counseling training and education, mobility and transportation aids, job search, placement and intensive services.
- **Will referrals to the Department of Rehabilitation continue to be appropriate for individuals who are able to perform work in the community?**
 - The eligibility criteria for Vocational Rehabilitation and referral process for work services will be the same, except the DR 20 referral form will be replaced the DS 1968 form.
- **When will trainings begin to explain the new processes?**
 - The Department of Developmental Services conducted training in March and April 2004.
 - There will be a follow-up detailed training in the fall of 2004.

- **Will someone be as accessible as the current Habilitation Specialist once the transfer takes place to provide clarification regarding procedures or unusual situations that arise?**
 - The regional center may secure consultation services and technical assistance from the department regarding the steps necessary to meet such requirements as needed.
 - The department will have 5 Community Program Specialist (CPS) IIs located across the state and assigned to specific regional centers available to provide technical assistance. In addition, DOR (by MOU) will continue to provide technical assistance with regard to certification, accreditation, labor laws and time study requirements. This assistance may be accessed by regional centers through the CPS II.

- **Will training be offered to the local regional centers?**
 - After the transfer DDS will provide additional detailed training in the fall of 2004 on regulatory requirements and to address specific questions that come up as the regional centers administer the program.
 - Technical assistance will be available for regional centers upon request indefinitely.

- **When is a consumer referred to a provider of habilitation services?**
 - When the consumer is an adult, is no longer in school and,
 - The consumer is determined to be in need of, will benefit from, and has chosen paid work (Habilitation Services) through the individual program planning process.

- **What is the difference between how consumers were referred for Habilitation Services prior to the services being moved to the Department of Developmental Services?**
 - Regional centers will directly refer consumers for habilitation services to the service provider of the consumer's informed choice.
 - The referral for VR services does not change. Consumers are referred to the local DOR office for supported employment services.

- **Will the Department of Rehabilitation and regional centers both be responsible for Vocational Rehabilitation/Work Activity Program/Supported Employment Program funding to agencies? Who will provide on-going Vocational Rehabilitation/Work Activity Program funding once client is closed?**
 - All Vocational Rehabilitation funded services will be funded by the Department of Rehabilitation.
 - On-going support services (referred to as extended services or Habilitation services) will be funded by the regional center.

- **How will regional centers be notified when consumers transfer from Vocational Rehabilitation to Habilitation Services?**
 - The Department of Rehabilitation will provide, at a minimum, a 15 calendar day notification via email, fax and/or phone call and follow-up by sending the Department of Rehabilitation Form, DR 387, (not in regulation, the agreement is in the MOU) to regional centers prior to transfer of consumers from Vocational Rehabilitation to Habilitation Services Program.

- **Who is on the taskforce in Sacramento working on the transfer?**
 - The Department of Developmental Services
 - The Department of Rehabilitation
 - Area Regional Centers Association
 - California Rehabilitation Association (CRA)
 - ARC-CA

- **Will regional centers have much input into the process of the transfer?**
 - As a stakeholder the regional centers have participation by commenting on proposed regulations and relaying questions, which can and have caused changes.

- **Would one person at the regional center be tasked to handle transfers (program on July 1, 2004), etc. or will the current case managers handle them?**
 - The regional centers will decide locally who will handle the Habilitation transfer processes.

- **If not during the initial phase of transition, will there be opportunity to give input on rates, increases or lifting freezing of rates?**
 - The rate freeze is statutorily mandated and cannot be adjusted by the Department of Developmental Services. Per the statute the rate freeze is effective until July 1, 2006.

- **How are authorizations for services going to be handled? How are transfers going to be made between the Department of Rehabilitation Vocational Rehabilitation/Work Activity Program (and federal dollars) and regional centers when stabilization takes place?**
 - VR WAP is provided to address consumer issues that prevent the consumer from entering supported employment. VR WAP generally results in VR SEP. Once VR SEP is provided and the consumer achieves stabilization then the consumer is transitioned to Habilitation SEP for ongoing (extended) services.
 - In order to facilitate a seamless transition from vocational rehabilitation (SEP) intensive services to regional center funded (Habilitation SEP) extended services the following shall occur:
 - (1) Within 15 calendar days of notification by the Department of Rehabilitation that a consumer receiving supported employment intensive services has reached stabilization, the regional center shall approve extended services;
 - (2) Payment for extended services shall begin on the first of the month.

- **What do we do/can we do now at the local level to prepare for the Habilitation transfer?**
 - The Department of Developmental Services website includes information about the transfer. Check www.dds.ca.gov frequently for up-dates. Watch for information from your local regional center for further instruction and training.
- **Are Work Activity Programs and Supported Employment Programs going to be vendored through the regional center? What are the vendorization requirements going to be? Will these programs now fall under Title 17?**
 - Yes, both WAP and SEP will be vendored through the regional center. Both must comply with W& I Code 4861 and all other policies, procedures and standards respecting accreditation and current and proposed Title 17 regulations will apply.
 - The DDS website has information regarding specific vendorization requirements in PowerPoint format.

- **Will Work Activity Program and Supported Employment Program fall under Community Care Licensing and all their requirements?**
 - No.
- **We need to identify functions that need to be in place, such as assuring that a completed referral packet is done.**
 - Functions required for the program to operate, such as, the vendorization process, including grandfathering existing habilitation vendors, completing and submitting referral packets, invoice and billing, completing the IHSP are specified in regulation.
- **There is a concern about “gate keeping” so that there is not a flood or trickle of inappropriate referrals to “least expensive” programs.**
 - The eligibility requirements for habilitation services will not change when the program transfers from Department of Rehabilitation to the Department of Developmental Services. Presently, vendors make determinations about consumers that are appropriate for their services. Such determinations are largely based upon the program’s ability to provide services to consumers in a specific SEP or WAP environment. These determinations by the vendor will continue after the transfer.
- **How do we keep some uniformity that was present under Habilitation (as administered by DOR)?**
 - Specific requirements in the regulations have been written to provide as much uniformity as possible.
 - DDS will have 5 field staff available to provide consistency in understanding and implementing the regulatory requirements.
- **Whom do we contact if an agency wants to start a new supported employment group? Also, what are the timelines for starting a group? There is concern regarding this issue as the job depends on filling the positions quickly.**
 - There is a New Group Approval Request form (DS 1962) this needs to be completed and sent to the DDS Community Program Specialist II (CPS II) for review, consultation with the regional center and approval. We expect the turnaround time to be short (same day if possible). If the CPS II is not available send to the CPS II supervisor.